



City of Seattle

Department of Planning and Development

Diane M. Sugimura, Director

CITY OF SEATTLE ANALYSIS AND DECISION OF THE DIRECTOR OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT

Application Number: 3015214
Applicant Name: Christopher Day
Address of Proposal: 2214 W Emerson St

SUMMARY OF PROPOSAL

Land Use Application to allow three residential units (a two-unit townhouse and a single family dwelling unit) in an environmentally critical area. Parking for three vehicles will be provided on the site. Existing structure to be demolished.

The following approval is required:

SEPA — Environmental Determination — (Seattle Municipal Code Chapter 25.09)

SEPA DETERMINATION: ☐ Exempt ☒ DNS ☐ MDNS ☐ EIS
☐ DNS with conditions
☐ DNS involving non-exempt grading or demolition,
or involving another agency with jurisdiction.

BACKGROUND DATA

Site Location: The site is located on the north side of W Emerson St between 23rd Ave W and Gilman Ave W.

Zoning: Lowrise 1 (LR1)

Parcel Size: 5,000 square feet

Existing Use: Residential



ECA:

Based on a review of the submitted information and the City GIS system, DPD concluded that the project appears to qualify for the criteria established in the Critical Areas Regulations, SMC 25.09.180.B2b. Specifically, the City GIS system and the submitted information for the steep slope developmental allowance application demonstrated that steep slopes at the site appeared to have been created by previous legal grading activities associated with site development. For this reason, DPD will waive the required ECA Steep Slope Variance associated with DPD Application No. 6329528.

This approval is conditioned upon the approval of building permits for a design that demonstrates that the proposed development will be completely stabilized in accordance with provisions of the ECA code and Grading Code. All other ECA Submittal, General, and Landslide-Hazard, and development standards still apply for this development.

PROJECT DESCRIPTION:

Two 3-story residential structures are proposed on the site. The structure facing W Emerson St will have a single dwelling unit and on the north portion of the site will be a townhouse structure with two dwelling units. Surface parking is provided between the structures, accessed off W Emerson St, by a shared driveway easement on the eastern portion of the site.

Public Notice and Comment Period

The public comment period for this project ended on June 19, 2013. The Land Use Application information is available at the Public Resource Center located at 700 Fifth Ave, Suite 2000¹.

ANALYSIS – SEPA

The proposal site is located in an environmentally critical area, as noted above. Proposals located in landslide prone areas (i.e. known landslide areas, potential landslide areas, and steep slopes), wetlands, and fish and wildlife habitat conservation areas may require environmental review (SMC 25.05.908), thus this application is not exempt from SEPA review. However, the scope of environmental review of projects within these critical areas is limited to: 1) documenting whether the proposal is consistent with the City's Environmentally Critical Areas (ECA) regulations in SMC 25.09; and 2) Evaluating potentially significant impacts on the critical area resources not adequately addressed in the ECA regulations. This review includes identifying additional mitigation measures needed to protect the ECA in order to achieve consistency with SEPA and other applicable environmental laws.

Environmental review resulting in a Threshold Determination is required pursuant to the Seattle State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant. The information in the checklist, supplemental information

¹ <http://www.seattle.gov/dpd/toolsresources/default.htm>

submitted by the applicant and the experience of the lead agency with the review of similar projects form the basis for this analysis and decision. As indicated in this analysis, this action will result in adverse impacts to the environment. However, due to their temporary nature and limited effects, the impacts are not expected to be significant.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part,

“Where City regulations have been adopted to address and environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation”

subject to some limitations. Short-term adverse impacts are anticipated from the proposal. No adverse long-term impacts on the environmentally critical area are anticipated.

Short-term Impacts

The following temporary or construction-related impacts are expected: 1) temporary soil erosion; and 2) increased vibration from construction operations and equipment. These impacts are not considered significant because they are temporary and/or minor in scope (SMC 25.05.794).

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: 1) Street Use; 2) Building Code (construction measures in general); 3) Regulations for Environmentally Critical Areas, and 4) Stormwater and Grading Codes (temporary soil erosion). Compliance with these applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts.

Earth / Soils

The Environmentally Critical Areas (ECA) Ordinance and Director’s Rule ([\(DR\) 33-2006](#)) require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in steep slope areas. Pursuant to this requirement the applicant submitted a geotechnical engineering study. The study has been reviewed and approved by DPD’s geotechnical experts, who will require what is needed for the proposed work to proceed without undue risk to the property or to adjacent properties.

No additional conditioning is warranted pursuant to SEPA policies.

Long-term Impacts

Potential long-term impacts that may occur as a result of this project include: 1) increased surface water runoff from greater site coverage by impervious surfaces, and 2) increased demand on public services and utilities. These long-term impacts are not considered significant because the impacts are minor in scope.

The long-term impacts are typical of multifamily development and will be mitigated by the City's adopted codes and/or ordinances. Specifically these are: Stormwater, Grading and Drainage Control Code (storm water runoff from additional site coverage by impervious surface; and the Regulations for Environmentally Critical Areas.

DECISION – SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA. This information is available to the public on request.

[X] Determination of Non-Significance. The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment.

An environmental impact statement (EIS) is not required under RCW [43.21C.030](#) (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency.

This DNS is issued after using the optional DNS process in WAC [197-11-355](#) and Early review DNS process in SMC 25.05.355. There is no further comment period on the DNS.

CONDITIONS - SEPA

None Required

Signature: _____ (signature on file) Date: November 14, 2013
Colin R. Vasquez, Senior Land Use Planner
Department of Planning and Development

CRV:bg

I/Vasquez//3015214/Decision 11 12 2013.docx